



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

MAY 27 2016

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Article Number: 7015 3010 0000 7504 0092

Mrs. Jennifer Hughs, Director
Thistle Waithe Learning Center
1340 Route 35
South Salem, NY 10590

Re: Request for Information Pursuant to Section 1445 of the Safe Drinking Water Act
Docket Number SDWA-PWS-IR-16-015
Thistle Waithe Learning Center, PWS ID # NY5905629

Dear Mrs. Hughs:

The United States Environmental Protection Agency (EPA) is responsible for assuring public water systems provide safe drinking water in accordance with the Safe Drinking Water Act (SDWA or Act), 42 U.S.C. §§300f - 300j-26, and the regulations promulgated pursuant to the Act. SDWA Section 1445 and 40 Code of Federal Regulations (C.F.R.) Part 141 Subpart D (§141.31) authorizes the EPA to require the submittal of information so it can determine a public water system's compliance with federal drinking water regulations. Under the authority of Section 1445(a)(1)(B) of the SDWA, as amended, 42 U.S.C. §300j-4(a)(1)(B), EPA Region 2 hereby requests that Thistle Waithe Learning Center provide the information described below within the indicated time frame. EPA seeks this information to determine whether the system referenced above is in compliance with the requirements of the Lead and Copper Rule (LCR).

Based on information contained in the Safe Drinking Water Information System (SDWIS), Thistle Waithe Learning Center is a nontransient noncommunity water system, serving 146 people. Thistle Waithe Learning Center is therefore, subject to the requirements of the LCR, as per 40 C.F.R Part 141, Subpart I.

Based on information in SDWIS, Thistle Waithe Learning Center exceeded the action level for lead during the January - December 2015 monitoring period. Within thirty (30) days of receipt of this letter, EPA requests the following information be submitted:

1. A copy of the Materials Evaluation and the pool of targeted sampling sites for tap monitoring, including tier designation (40 C.F.R. §§141.86(a)(1) and 141.86(a)(6)).
2. A copy of the tap sampling instructions used by system for the January - December 2015 monitoring period.

3. Copies of analytical reports and summary table of results with sample locations identified for all lead and copper sampling conducted between January 2015 and December 2015, including 90th percentile calculations (40 C.F.R. §141.80(c)).
4. Information on all corrosion control steps taken, including recommended optimal corrosion control treatment, description of any existing corrosion control treatment, whether the system was deemed to have optimized corrosion control, and state designated range of optimal water quality parameters, if applicable (40 C.F.R. §§141.81(e) and 141.82).
5. A copy of analytical reports for source water monitoring conducted in response to the action level exceedance (40 C.F.R. §141.88).
6. A copy of analytical reports and summary table of water quality parameter monitoring conducted as a result of the action level exceedance (40 C.F.R. §141.87).
7. Copies of Public Education conducted in response to the lead action level exceedance (ALE) and certification that it was completed (40 C.F.R. §141.85).
8. Copies of Consumer Notices posted to notify persons served of individual tap results (40 C.F.R. §141.85(d)).
9. Description of the conditions that resulted in or may have contributed to the action level exceedance and information on steps that have been taken or are planned to reduce corrosivity within the water system.

Please submit this information to:

Nicole Foley Kraft, Chief
Groundwater Compliance Section
U.S. EPA, Region 2
290 Broadway, 20th Floor
New York, NY 10007-1866

Please be advised that, under Section 1445(c) of the SDWA, 42 U.S.C. §300j-4(c), and 40 C.F.R. §19.4, Table 1, failure to provide information required by this letter may result in a civil penalty of up to \$37,500. In addition, under SDWA Section 1414(g), 42 U.S.C. §300g-3(g), failure to provide the information required by this letter may result in an order requiring compliance. Violation of such order may lead to sanctions under SDWA Section 1414, 42 U.S.C. §300g-3 and 40 C.F.R. §19.4, Table 1, which include penalties of up to \$32,500 per day of violation. The information provided in response to this letter may be used by the United States in administrative, civil or criminal proceedings.

You may, if you so desire, assert a confidential business information (CBI) claim covering any or all of the information furnished to EPA in response to this letter. Every CBI claim must be made in a manner described in 40 C.F.R. Part 2, Subpart B, and must be fully substantiated with documentary evidence which shows how the claim meets each and every criterion listed in 40 C.F.R. §§2.208 and 2.304. If no CBI claim accompanies your information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This request for information is not subject to review by the Office of Management and Budget (OMB) under the Paper Reduction Act because it is not an "informal collection request" within the meaning of 44 U.S.C. §§3502(4) & (11), 3507, 3512 and 3518. Furthermore, it is exempt from OMB review under the Paper Reduction Act because it is directed to fewer than 10 persons. 44 U.S.C. §§3502(4), (11); 5 C.F.R. §1320.5(a).

If you have any questions regarding this matter, please call me at (212) 637-4244 or contact Nicole Foley Kraft at (212) 637-3093.

Sincerely,



 Douglas McKenna, Chief
Water Compliance Branch

cc: Roger Sokol, Director, NYSDOH
Peter DeLucia, Asst Comm EH, Westchester County

